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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,935	08/08/2007	Moshe Abraham	160,767US C010302	4525
7590 Stephen J. Brown Bryan Cave 1290 Avenue of the Americas New York, NY 10104			EXAMINER TOLAN, EDWARD THOMAS	
			ART UNIT 3725	PAPER NUMBER
			MAIL DATE 04/05/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/591,935	Applicant(s) ABRAHAM ET AL.	
	Examiner EDWARD TOLAN	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 12, 14 and 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9-6-2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10,13-15 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites the limitations "said through holes" in line 2 and "said threaded holes" in line 3. There is insufficient antecedent basis for these limitations in the claim.

Claim 13 recites the limitation "said pressure pad" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "said pressure pad" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "said pairs of lobes" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites the limitation "said two thumbscrews" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3,7,10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl (5,060,330) in view of Bruck (3,688,323). Stahl discloses a tool for repairing a screw thread comprising a body (2) having a projection portion (4) with recessed major portions that form a v-shape to accommodate a screw (8). The tool has a cutting blade (24) having a rear end hingedly connected (at 26) to said body and a front end (32) in the shape of a cutting face (36). The tool has a guide blade (24') having a rear end hingedly connected (at 26) to said body and a front end for guiding (col. 3, lines 47-51). Means (16,30) comprising a screw are used to alter a distance between the cutting blade, guide blade and the projecting portion (4) to accommodate screws of different diameters (column 3, lines 5-10 and 18-22). The rear ends of the blades serve as pivots (column 2, lines 64-68). Stahl does not disclose that the guide blade is longer than the cutting blade. Bruck teaches a cutting blade (17) and a guide blade (18) having an end (56) that is longer than the cutting blade (col. 3, lines 55-60). Bruck teaches that the cutting blade and guide blade are chosen to fit the type of thread to be produced (col. 4, lines 19-21 and 36-52). It would have been obvious to one skilled in the art at the time of invention to provide Stahl with a longer guide blade as taught by Bruck in order to provide a screw holding means that projects beyond the cutting blade and holds a greater circumferential surface of the screw to be repaired.

Claims 4,5,13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl (5,060,330) in view of Bruck (3,688,323) and further in view of Edgar (3,793,659). Stahl in view of Bruck does not disclose a spring. Edgar teaches that it is

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known to provide a helical spring (25) around a thumbscrew (23) turnable by a knob (22) in order to bias a cutting jaw (14). Edgar teaches that a pressure pad (17) has lobes on either side of the jaw (14) (see figure 3). It would have been obvious to one skilled in the art at the time of invention to provide Stahl in view of Bruck with a spring and pressure pad as taught by Edgar in order to keep a compression force on the cutting blade and guide blade as they rethread the screw.

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl (5,060,330) in view of Bruck (3,688,323) and further in view of Arndt (1,854,389). Stahl in view of Bruck does not disclose a flat spring and cover. Arndt teaches a flat spring (L) that biases cutting arms (C,A) and a cover (B) having through holes for pivot pins (C',M). It would have been obvious to one skilled in the art at the time of invention to provide Stahl in view of Bruck with a spring and cover as taught by Arndt in order to keep a compression force on the cutting blade and guide blade as they rethread the screw.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl (5,060,330) in view of Bruck (3,688,323) and further in view of Bass (GB 778,807). Stahl in view of Bruck does not disclose a metal lining. Bass teaches that it is known to provide a hard metal lining on recesses (8,9). It would have been obvious to the skilled artisan at the time of invention to provide hard metal linings to the recessed major portions of Stahl in view of Bruck as taught by Bass in order to promote wear resistance of the work holder.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl (5,060,330) in view of Bruck (3,688,323) and further in view of Mackliet (2,388,790). Stahl in view of Bruck does not disclose two thumbscrews. Mackliet teaches that it is known to provide thumbscrews (7,26) for tightening a v-block and a rethreading blade (22). It would have been obvious to one skilled in the art at the time of invention to provide Stahl in view of Bruck with multiple thumbscrews as taught by Mackliet in order to tighten threading members against a workpiece.

Allowable Subject Matter

Claims 12,14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and overcoming the 35 USC 112, 2nd paragraph rejections.

Claim 12; the prior art of record does not disclose two pressure pads straddling blades from above and below wherein the pressure pads comprise two lobes.

Claims 14 and 15; the prior art of record does not disclose two pairs of lobes for each pressure pad with each pair of lobes outwardly and inwardly inclined.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD TOLAN whose telephone number is (571)272-4525. The examiner can normally be reached on M-F.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward Tolan/
Primary Examiner, Art Unit 3725